

**AFFIDAVIT IN SUPPORT OF**  
**A CRIMINAL COMPLAINT**

I, Michael Thomas, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. This affidavit is in support of a criminal complaint against Robert BERMAN, Todd BROWN Jr., Dakota WALTERS and Salim WOMACK, for violations of Title 21, United States Code, Sections 841(a)(1) and 846, Conspiracy to Possess with the intent to Distribute a Controlled Substance.

2. I am a Special Agent with the Department of Homeland Security, U. S. Immigration and Customs Enforcement, Homeland Security Investigations (“HSI”), and have been with HSI and its legacy agencies since 2002.

3. Your Affiant has been employed by Homeland Security Investigations and its legacy agencies since 2002, assigned to the Chicago, Illinois office for approximately eight years and the Cleveland, Ohio office for approximately eight years. Your Affiant is currently assigned to a Document and Benefit Fraud Task Force.

4. As a Special Agent of HSI, your Affiant received basic investigative training at the Federal Law Enforcement Training Center, in Glynco, Georgia. Your Affiant has received field training and accrued practical experience in advanced investigative techniques which include, but are not limited to, surveillance, undercover operations, interview and interrogation techniques, installation and monitoring of Global Positioning Systems (“GPS”), informant recruitment and control, search warrant and case preparation, and interception and analysis of recorded conversations including the participation in Title III wiretap investigations.

5. Your Affiant has been involved in numerous investigations that led to arrests, drafting and executing search warrants, coordinating undercover operations and supervising the activities of informants who have provided information concerning individuals who participate in criminal activities. Your Affiant is familiar with the terminology used by persons involved in these criminal activities, including the illicit distribution of controlled substances, the modus operandi of persons involved with such acts, including the knowledge that persons involved in the criminal activity, frequently attempt to conceal their identities, the locations at which the illicit transactions occur, and the laundering of proceeds from the illicit activity to “plain” currency. These people are also known to have vehicles, properties, utilities, and other items purchased in the name of others to conceal their relationship between financial activities and illicit activities. Your Affiant is also aware that criminals routinely carry and utilize two or more telephones to compartmentalize the associates with whom they communicate; separating customers, counterparts, and suppliers.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

#### **PROBABLE CAUSE**

7. On September 3, 2019, Special Agents from Homeland Security Investigations (HSI) Cleveland, Ohio responded to the area of West 130th and Brookpark Road, Cleveland, Ohio to assist HSI Columbus, Ohio with the surveillance of a Columbus based subject suspected of distributing narcotics (SUB-1).

8. HSI Cleveland agents assisted HSI Columbus with surveillance on SUB-1. During this surveillance SUB-1 entered the Life Storage facility, located at 4976 W 130th Street, Cleveland, Ohio. Life Storage provides rental storage units on a month-to-month basis.

9. Special Agent (SA) Tim Stark observed SUB-1's vehicle parked tailgate to tailgate with a Budget rental box truck. SA Stark observed an exchange between the occupant of the box truck later identified as BERMAN and SUB-1. After the exchange, SUB-1 departed the area. HSI Cleveland maintained surveillance on the box truck still parked in the Life Storage facility.

10. SA Stark observed BERMAN load boxes from the box truck to a storage unit in the Life Storage.

11. SA Stark observed BERMAN meet with a red Dodge Ram. The occupants of Dodge Ram later identified as Dakota WALTERS and Salim WOMACK, loaded several boxes that they received from BERMAN into the bed of the pickup truck and departed. Agents maintained surveillance on the both the box truck and the red Dodge Ram.

12. As the red Dodge Ram travelled east down Brookpark Road, two marked Cuyahoga County Sheriff's Vehicles approached the Ram from behind. The red Dodge Ram abruptly moved to the turn lane to enter the Home Depot. Agents and officers conducted an investigative stop where a sheriff's canine alerted to the presents of a narcotic odor in the red Dodge Ram. A search of the Ram revealed approximately eighteen (18) boxes containing suspected marijuana vape cartridges. The occupants of the red Dodge Ram, Dakota WALTERS and Salim WOMACK, were arrested for possession with the intent to distribute a controlled substance and conspiracy to possess a controlled substance with the intent to distribute.

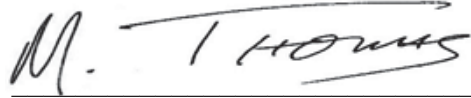
13. SA Stark, still surveilling the Life Storage, observed BERMAN meet with an individual driving a grey Dodge minivan, later identified as Todd BROWN Jr. SA Stark observed an exchange between BERMAN and BROWN. As both the grey Dodge minivan and the Budget rental box truck departed the Life Storage facility, agents conducted an investigative stop of both vehicles. Agents recovered approximately nine (9) boxes of suspected marijuana plants from the grey minivan. Agents arrested BROWN for possession with the intent to distribute a controlled substance and conspiracy to possess a controlled substance with the intent to distribute.

14. The search of the Budget rental box truck resulted in the seizure of two bags of bundled U.S. Currency, totaling an amount of \$211,755. BERMAN was arrested for conspiracy to possess a controlled substance with the intent to distribute.

15. A sheriff's canine alerted to the presents of a narcotic odor from the storage unit that BERMAN was previously observed entering. Agents contacted the renter of the storage garage, C.K.. C.K. granted agents consent to search the garage. Agents seized approximately Nineteen (19) boxes of suspected marijuana.

**CONCLUSION**

16. Based upon the foregoing facts, there is probable cause to believe Robert BERMAN, Todd BROWN Jr., Dakota WALTERS and Salim WOMACK committed a violation of Title 21, United States Code, Sections 841(a)(1) and 846, Conspiracy to Possess a Controlled Substance with the Intent to Distribute.



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Michael Thomas  
Special Agent  
Homeland Security Investigations

Sworn to via telephone after submission  
by reliable electronic means this 4th Day of September, 2019.  
Fed. R. Crim. P. 4.1 and 41(d)(3).



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HONORABLE WILLIAM H. BAUGHMAN, JR.  
UNITED STATES MAGISTRATE JUDGE

